

UNITED STATES INTERNATIONAL TRADE COMMISSION  
Washington, DC 20436

**MEMORANDUM ON PROPOSED TARIFF LEGISLATION  
of the 110<sup>th</sup> Congress <sup>1</sup>**

[Date approved: March 24, 2008]<sup>2</sup>

**Bill No. and sponsor:** H.R. 4394 (Mr. Dan Burton of Indiana).

**Proponent name,<sup>3</sup> location:** Dow AgroSciences, Indianapolis, IN.

**Other bills on product (110<sup>th</sup> Congress only):** None.

**Nature of bill:** Extension of temporary duty suspension through December 31, 2011.

**Retroactive effect:** None.

**Suggested article description(s) for enactment (including appropriate HTS subheading(s)):**

Mixed cis and trans isomers of 1,3-dichloropropene (CAS No. 10061-02-6) (provided for in subheading 2903.29.00).

**Check one:**     Same as that in bill as introduced.  
                   Different from that in bill as introduced (see Technical comments section).

**Product information, including uses/applications and source(s) of imports:**

The subject chemical is a synthetic organic chemical that is used to manufacture an intermediate that is sold to a domestic formulator of fungicides. The subject product is imported from Germany.

**Estimated effect on customs revenue:**

| HTS subheading: <u>2903.29.00</u>       |             |             |             |             |             |
|---|-------------|-------------|-------------|-------------|-------------|
|   | 2009        | 2010        | 2011        | 2012        | 2013        |
| <del>Col. 1-General rate of duty</del>  | 5.5%        | 5.5%        | 5.5%        | 5.5%        | 5.5%        |
| Estimated value <i>dutiable</i> imports | \$1,200,000 | \$1,200,000 | \$1,200,000 | \$1,200,000 | \$1,200,000 |
| Customs revenue loss 1/                 | \$0         | \$66,000    | \$66,000    | \$66,000    | \$66,000    |

1/ There is an existing duty suspension under HTS heading 9902.02.93 that expires on December 31, 2009. Therefore, there will be no customs revenue loss related to this bill in 2009. .

Source of estimated dutiable import data: U.S. industry estimates.

**Contacts with domestic firms/organizations (including the proponent):**

<sup>1</sup> Industry analyst preparing report: Robert Randall (202-205-3366); Tariff Affairs contact: David Michels (202-205-3440).

<sup>2</sup> Access to an electronic copy of this memorandum is available at [http://www.usitc.gov/tata/hts/other/rel\\_doc/bill\\_reports/](http://www.usitc.gov/tata/hts/other/rel_doc/bill_reports/).

<sup>3</sup> The sponsor/proponent did not identify any additional beneficiaries of this bill.

| Name of firm/organization  | Date contacted | Claim US makes same or competing product(s)? | Submission attached? | Opposition noted? |
|--|----------------|--|----------------------|-------------------|
|  |                |  |                      |                   |
| Dow AgroSciences (Proponent)<br>Jacob Secor, 202-429-3495        | 1/14/2008      | No   | No                   | No                |
| Arkema Inc.<br>Charles Kitchen, Fax: 215-419-7075                | 2/12/2008      | No   | No                   | No                |
| BASF Corp.<br>Greg Thies, Fax: 703-255-7142                      | 2/12/2008      | No   | No                   | No                |
| Bayer Corp.<br>William Hensley, Fax: 202-737-8909                | 2/12/2008      | No   | No                   | No                |
| Chemtura Corp.<br>Matt Mattingley, Fax: 202-463-8498             | 2/12/2008      | No   | No                   | No                |
| CropLife America<br>Isi Siddiqui, Fax: 202-463-0474              | 2/12/2008      | No   | No                   | No                |
| DuPont<br>Helen McMahon, Fax: 302-355-2994                       | 2/12/2008      | No   | No                   | No                |
| Emerald Performance Chemicals<br>Tom Dirmyer, Fax: 330-315-6480  | 2/12/2008      | No   | No                   | No                |
| FMC<br>Jerry Prout, Fax: 202-956-5235                            | 2/12/2008      | No   | No                   | No                |
| Monsanto Corp.<br>Grant Erdel, Fax: 202-789-1867                 | 2/12/2008      | No   | No                   | No                |
| Nufarm Limited<br>Joel R. Junker, Fax: 206-621-8220              | 2/12/2008      | No   | No                   | No                |
| Syngenta Crop Protection, Inc.<br>Mike Blythe, Fax: 336-632-6084 | 2/12/2008      | No   | No                   | No                |
| Valent USA<br>Robin Demouth, Fax: 925-256-2776                   | 2/12/2008      | No   | No                   | No                |

**Technical comments:**<sup>4</sup>

None.

<sup>4</sup> The Commission may express an opinion on the HTS classification of a product to facilitate consideration of the bill. However, by law, only the U.S. Customs Service is authorized to issue a binding ruling on this matter. The Commission believes that the U.S. Customs Service should be consulted prior to enactment of the bill.

110TH CONGRESS  
1ST SESSION

# H. R. 4394

To extend the temporary suspension of duty on mixed isomers of 1,3-dichloropropene.

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## IN THE HOUSE OF REPRESENTATIVES

DECEMBER 11, 2007

Mr. BURTON of Indiana introduced the following bill; which was referred to the Committee on Ways and Means

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## A BILL

To extend the temporary suspension of duty on mixed isomers of 1,3-dichloropropene.

1 *Be it enacted by the Senate and House of Representa-*  
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. MIXED ISOMERS OF 1,3-DICHLOROPROPENE.**

4 (a) IN GENERAL.—Heading 9902.02.93 of the Har-  
5 monized Tariff Schedule of the United States (relating to  
6 mixed isomers of 1,3-dichloropropene) is amended by  
7 striking the date in the effective period column and insert-  
8 ing “12/31/2011”.

9 (b) EFFECTIVE DATE.—The amendment made by  
10 subsection (a) applies to goods entered, or withdrawn from

- 1 warehouse for consumption, on or after the 15th day after
- 2 the date of the enactment of this Act.

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